

RESPONSE UNDER 37 C.F.R. § 1.111
U.S. Application No. 09/981,735

REMARKS

Claims 1-20 are all the claims pending in the application. None of the claims are being amended.

Claims 1-4, 8-11, 15, 16 and 19-20

The Examiner has rejected claims 1-4, 8-11, 15, 16 and 19-20 under 35 U.S.C. 103(a) as being allegedly unpatentable over Kawahara (JP404301976) in view of Inoue (JP08-181958) and Maeng (U.S. patent No. 5,959,667). Applicants respectfully traverse this rejection in view of the following arguments.

In more detail, independent claims 1, 8, 15, 16, 17 and 18 recite at least several features of the claimed invention not taught or suggested by the combination of references asserted by the Examiner. Specifically, none of the cited references teaches or suggests the claimed stored object position information and stored rule information. In the Office Action, the Examiner alleges that the stored object position information and stored rule information is disclosed in Kawahara. More specifically, the Examiner alleges that Kawahara discloses both (1) object position information (position of microphone) and (2) rule information (camera rotation angle to track the speaker).

However, as it is clear from close reading of Kawahar, Kawahar uses the same camera rotating angle to identify both the microphone position and speaker position. Specifically, Kawahar states: “a camera rotating angle is stored in a storage part 8 as microphone position, namely, as speaker position.” The same conclusion must be reached if one were to consider how the system of Kawahar operates. The system of Kawahar detects the angular position $\Phi_1 - \Phi_n$ of

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each microphone 4a-g using light emission from light source 5a-g positioned on the corresponding microphone, see Kawahar. The detected angles $\Phi 1 - \Phi n$ are taken as the position of the microphone and the position of the speaker. Therefore, the only variable that the system of Kawahar stores is the detected angles $\Phi 1 - \Phi n$. Thus, (1) the position of microphone and (2) camera rotation angle to track the speaker are the same in Kawahar and Kawahar does not teach or suggest separate (1) object position information and (2) rule information. In the Office Action, the Examiner attempts to read two separately claimed elements: (1) object position information and (2) rule information on a single stored angle $\Phi 1 - \Phi n$ of Kawahar. Applicants respectfully submit that this is improper. Moreover, Inoue and Maeng do not remedy the aforesaid deficiency of Kawahar. Thus, Kawahara, Inoue and Maeng fail to teach or suggest the claimed stored object position information and stored rule information, and, for this reason, claims 1, 8, 15, 16, 17 and 18 are patentable.

In addition, none of the cited references teaches displaying at least one of a suggested camera selection and a suggested camera angle selection based on the sensed activity information, the stored object position information and the stored rule information. In the Office Action, the Examiner fails to allege that the image pickup conditions are displayed in the system of Inoue based on sensed activity information and the stored object position information, as recited in claims 1, 8, 15, 16, 17 and 18, see Office Action, page 3, line 7. Thus, in this respect, the Examiner's prima facie case of obviousness has not been established. Specifically, the image pickup conditions in the system of Inoue are input by the user (party), see Abstract, and are not based on the sensed activity information and the stored object position information. Moreover,

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the system of Inoue simply displays all available image pickup conditions for selection by the user, see figure 5, irrespective of the sensed activity information and the stored object position information. Thus, Inoue fails to teach or suggest displaying at least one of a suggested camera selection and a suggested camera angle selection based on the sensed activity information, the stored object position information and the stored rule information.

This feature is also not taught or suggested in either Kawahara or Maeng or any combination thereof. Thus, claims 1, 8, 15, 16, 17 and 18 are patentable over Kawahara, Inoue and Maeng for this additional reason as well.

Claims 5, 6, 12, 13 and 17

The Examiner has rejected claims 5, 6, 12, 13 and 17 under 35 U.S.C. 103(a) as being allegedly unpatentable over Kawahara (JP404301976) in view of Inoue (JP08-181958) and Maeng (U.S. patent No. 5,959,667) and further in view of Kikuchi et al. (JP363142779A). Applicants respectfully traverse this rejection in view of the following arguments.

With respect to the rejection of claim 17, Applicants respectfully submit that claim 17 is patentable over Kawahara, Inoue, Maeng and Kikuchi et al. at least for the reasons stated above with respect to patentability of claims 1, 8, 15 and 16. Specifically, Kikuchi et al. fails to remedy the above-identified deficiencies of Kawahara, Inoue and Maeng. Thus, claim 17 is also patentable over the combination of Kawahara, Inoue, Maeng and Kikuchi et al.

With respect to the rejection of dependent claims 5, 6, 12 and 13, while continuing to traverse the Examiner's characterization of the teachings of Kawahara, Inoue, Maeng and Kikuchi et al., used by the Examiner in rejecting these claims, Applicants respectfully submit

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that these claims are patentable by definition, by virtue of their dependence upon the patentable independent claims 1 and 8.

Claims 7, 14 and 18

The Examiner has rejected claims 7, 14 and 18 under 35 U.S.C. 103(a) as being allegedly unpatentable over Kawahara (JP404301976) in view of Inoue (JP08-181958) and Maeng (U.S. patent No. 5,959,667) and further in view of Kishimoto (JP410282564A). Applicants respectfully traverse this rejection in view of the following arguments.

With respect to the rejection of claim 18, Applicants respectfully submit that claim 18 is patentable over Kawahara, Inoue, Maeng and Kishimoto at least for the reasons stated above with respect to patentability of claims 1, 8, 15 and 16. Specifically, Kishimoto fails to remedy the above-identified deficiencies of Kawahara, Inoue and Maeng. Thus, claim 18 is also patentable over the combination of Kawahara, Inoue, Maeng and Kishimoto.

With respect to the rejection of dependent claims 7 and 14, while continuing to traverse the Examiner's characterization of the teachings of Kawahara, Inoue, Maeng and Kishimoto, used by the Examiner in rejecting these claims, Applicants respectfully submit that these claims are patentable by definition, by virtue of their dependence upon the patentable independent claims 1 and 8.

Conclusion

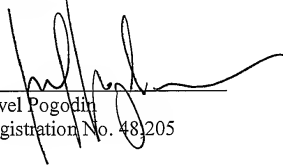
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

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Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Pavel Pogodin', is written over a horizontal line.

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